

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

TRES TECH CORPORATION,	§	
Petitioner/Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. 3:13-mc-01800-K
	§	
CAREFUSION CORPORATION,	§	
Respondent/Defendant	§	

**RESPONDENT CAREFUSION CORPORATION’S OPPOSITION TO MOTION TO
CONFIRM ARBITRATION AWARD AND CROSS-MOTION TO VACATE AWARD**

Respondent CareFusion Corporation (“CF Corp”) hereby files this Opposition to Motion to Confirm Arbitration Award and Cross-Motion to Vacate Award. This Opposition and Cross-Motion is based on:

1. This Motion, and the accompanying Brief and Appendix;
2. The Declaration of Howard N. Wisnia;
3. The Declaration of Nathaniel B. Sisitsky;
4. The Declaration of F.T. Alexandra Mahaney; and
5. All pleadings and papers on file in this case.

Pursuant to Section 10 of Title 9 of the United States Code, and as explained more fully in its brief, CF Corp respectfully requests that this Court vacate the arbitration award issued by a Panel (“Panel”) consisting of Arbitrators Daniel Ebenstein, James Kozuch and Peter Michaelson in an arbitration administered by the American Arbitration Association (“AAA”) (AAA No. 76 122 Y 00149 12 JENF) on the grounds that the Panel exceeded its authority.

Respectfully submitted,
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(Pro Hae Vice Application Pending)

**COUNSEL FOR RESPONDENT
CAREFUSION CORPORATION**

CERTIFICATE OF CONFERENCE

The undersigned certifies that on the 5th day of June, 2013, he conferred with counsel for Petitioner/Plaintiff regarding the foregoing Cross-Motion to Vacate Arbitration Award. Counsel for Petitioner stated that he opposed the relief sought by the Motion, and thus it is being filed with the Court.

/s/ Howard N. Wisnia

Howard Wisnia

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document has been served on all counsel of record on the 7th day of June, 2013.

/s/ Robert A. Bragalone

Robert A. Bragalone